G. R. S. 59]

GENERAL AND REVENUE SECRETARIAT.

190

1 (Sep Rw)

File No. 73 of 02

Serial Nos. 1 — 5

Papers Filed.

Month _____

SUBJECT.

Note by the stamping authority on the stamp paper, the date & the name of the purchaser issued in the Superintendents office.

PREVIOUS REFERENCES.	LATER REFERENCES.

Extract from the Gazette of India from Jan to June 1879.

Notification no: 62 of 11·4·79.

No. 62. In exercise of the powers conferred by Sections 9, 15, 17, 32, 51, and 56 of the Indian Stamp Act, 1879, the Hon'ble the President in Council is pleased to make the following rules: —

× × × × × ×

(C) of Stamped Lables.

6. Stamped lables may be affixed to the following instruments, namely —

(1) Administration bonds: (2) Affidavits: (3) Appointments made in execution of a power: (4) Articles of Association of a company: (5) Articles of clerkship: (6) Bills of lading (7) charter-parties: (8) declarations of trust: (9) Instruments evidencing an agreement to secure the repayment of a loan made upon the deposit of title-deeds or other valuable security, or upon the hypothecation of moveable property: (10) Memoranda of Association of Companies: (11) Notes of protest: (12) Petitions for leave to file Specification of an invention, &c: (13) Policies of insurance: (14) Revocations of trust:

and the following — when written in the English language (15) Agreements or memoranda of agreements which, in the opinion of the Officer empowered to affix the stamp, cannot conveniently be written on impressed Stamps:

(16) Awards: (17) Bills of exchange payable otherwise than on demand and drawn in British India: (18) Bonds (19) Composition-deeds: (20) Conveyances: (21) Instruments imposing a further charge on the mortgaged property: (22) Instruments of apprenticeship: (23) Instruments of co-partnership: (24) Instruments of dissolution of partnership (25) Instruments of exchange: (26) Leases: (27) Letters of license: (28) Mortgage deeds: (29) Reconveyances of mortgaged property (30) Releases: (31) Settlements: (32) Transfers of the description mentioned in no: 60 of the First Schedule of the said Act.

7. The following officers are empowered to affix stamped lables to the instruments mentioned in Rule 6 namely:

(a) The Collectors of Calcutta and Karachi; (b) The Superintendents of Stamps at Calcutta, Madras, Bombay, Rangoon, Moulmain and Akyab; (c) The Commissioner of Stamps, North-western Provinces; (d) The Superintendent of Stamps, Punjab; and (e) The Superintendent of Stamps (Political Resident), Aden.

× × × × × ×

(Sd) R. B. Chapman

Secy to the Govt of India.

(Madras Dy Comrs letter no: 713 G.
5th April 1902.)

This authority (R-65 shows) is not enough. It presumes the existence of another rule or authority under which parties may present ~~docts~~ papers for stamping. Please let me know whether there is any express rule on the point in Bl & Indien

9/7/1902 Ref 11/9/02

submitted

Please see para 7 of the Govt of India Notification no: 62 of 11.4.79 published on page 299 of the Gazette of India (Jan to June 1879). The rule provides for the affixing of stamped labels to documents presented by parties.

(Please see extract put up)

xx.
1/9/02.
xx/1.10.10 - Submitted to the Secretary
xx This could have been shown to me earlier. N B/9/02
Papers noted & being left with me

I do not understand under what provision of law, the Supt^te has been impressing instruments.

But as the date &c is given, there is no harm in directing that the name of the Party may be mentioned. But the whole procedure seems to require a ~~regulation~~ proper rule. May a formal rule be issued after calling for a draft from the Supt^te of Stamps.

30/9/1902

To the Dewan
through the
2nd Councillor.

Let us see a specimen please
1899

draft rules
dt. 19/9/02

Vide 57
P. 30.IX.02

I am not sure that there is any need for changing the existing practice - Whenever a case is sent up from the Collectorate to the Court whether there is any objection to the procedure proposed

30/9/02

This may be submitted to the Dewan after these opinions &c are recd.

3/10

Put up with the papers of the Court
6/10/02

The Comptroller and the Supdt of Stamps were addressed on the subject accordingly. The Supdt of Stamps explains the practice observed in the Stamp Supdts' offices in the British Territories as laid down in clauses 1, 2 & 3 of Rule 10 of the Govt of India notn no: 786 & 17th February 1899 He further states that in Mysore, as in British Territories, unexecuted documents are first stamped with value dies, then counter-stamped with special date die, and then returned to the applicants. In the majority of cases, the names of all the parties are noted in the body of the instruments and blank sheets are in no case impressed by the Stamp Superintendent. The names of parties and the dates of receipt and issue of instruments are also

regularly and properly written up in ~~four~~ registers prescribed for the purpose in the Stamp Superintendent's Office. The Stamp Supdt finally observes that he sees no necessity for deviation from the present practice.

The Comptroller forwards the Stamp Supdt's letter with the remark that, as the Stamp Supdt is the sole authority in such matters, he has no opinion to offer.

The Secretary
submitted for orders.
H.V.
3/12/02

H 3/12/02

Rule 9 of the G. I. Notes gives the authority for the procedure in British India. But Rule 15 also requires the support of a similar rule which does not exist. On the question raised

by the Dy C= of Kadur. No change need be introduced, as there is no extra security apparent from the adoption of his proposal. But a clearer rule on this main question seems to be required.

7/12/1902

8/12/02

The Dewan through the 2nd Councillor

mis 14/7
8-12-02

The Dy Comr may be informed that Govt do not consider any change called for.

19-12-02

After sending a reply as above, a rule if necessary may be drafted and submitted by the Secretariat

19/12/02

Bowring

Submitted to the Dewan

22/12/02

7875
Delhi 31-12-02 DG

9845

22/12/02

9/2

HD Audit 4/6/2/03 P.T.O.

Submitted.

A draft order to the Dy Comr, Madura, is herewith put up. As for the latter portion of the II Councillor's orders, may the file be transferred to be dealt with in the Legislative Branch?

12/2/03

The rule may be framed in the Rev Deptt & sent for opinion to the Leg. Deptt if necessary.

16/2/1903

161

R3936
1902
No —

From
The Deputy Commr
Madura District

To
The Secretary to the Govt of Mysore
General and Revenue Depts

Dated 5th
Despatched – April
Received
General No. 713
No.

Enclosure No.

Enquiring whether it would not be proper if a note is made by the stamping authority at the foot or on the back of a stamp paper produced by parties for stamping.

2. 4.02

Submitted to the Secretary

A Copy of the letter may be sent to the Comptr for opinion

2/5/02

Let me see the order or rule under which the St. Office impresses for private parties.

3/5

Ref 31/5/02

Please see rule 15 prescribed in G.O No 6577-80 - Mis 14 59 of 25.11.98 putup

Submitted to the Secretary

13/6/02

All records please put up the Comptr's note No 209 of 27/9/1870 contg. Rules for issue of stamps.

D.R. Cubbon
10/4/02

X 11/4/02

The Mysore Gazette Vol (X of 187
Comptr the notifn Regd putup

11/4/02

Secretary's remarks

Chikmagalur 5th April 1902.

From

H. H. Shanker Esquire
Deputy Commissioner
Kadur District

To

H. V. Nanjundayya Esquire, M.A.M.L.
Secretary to the Govt of Mysore
General and Revenue Depto

Sir,

I have the honor to bring to your kind notice that Article X of the Rules for the vend of stamps prescribed in the late Chief Commissioner's Notification no 209 dated the 23rd September 1870 published in the Mysore Gazette of the 1st October 1870, lays down that Ex-officio and licensed vendors should endorse a certificate on the back of every stamp paper sold regarding the name of the purchaser, date of sale &c. In conformity with these rules, all stamp papers purchased from licensed vendors, or from Treasury officers will contain the necessary certificate But with regard to stamps impressed in the office of the Superintendent of

stamps

stamps at the request of parties on papers that they may have brought for the purpose, no such certificate or any other form of endorsement is written thereon except the usual seal which is impressed alike on all stamp papers issued from the Superintendents' office shewing the date of such issue.

2. Since stamps of any value is impressed in the Superintendents' office when duty is paid, I beg to know whether it will not be proper if a note is made by the Stamping authority at the foot or on the back of such stamp paper, shewing the date on which it was impressed and for whom it was done

I have the honor to be,

Sir,

Your most obedt Servant,

Alt Sparke

Deputy Commr

Madura Dist

Al

draft as per orders

To

The Superintendent of
Stamps in Impose

No. 7L. 539

date. 24-9-02
24.

Has the honor to
request that the Super-
intendant will be so
good as to forward at
a very early date for
reference a specimen of
a document impressed
in his office at the reques
of parties under (cl 15) of
the Govt. Pro: no: 6577-80-
mis. 1459 of 25.11.98. The
Lascar will be returned

P. O
N 23/9/02
for Secretary
24 N 1879 102

draft as per H Councillors orders

To

The Comptroller, ~~Singapore~~

to the Govt of Singapore.

& The Superintendent of

Stamps in Singapore.

DJ

No. 7L647-8 Enquire

Date. 20/10/02

W

In forwarding herewith, a

Copy of letter no: 713 of 5-9-02

from the Dy Comr, Kadur

District, enquiring whether

it will not be proper if ~~a~~

the Name of the purchaser etc.

~~note is made~~ / by the Stamping

be noted

Authority on the ~~Stamp~~

papers produced by parties

for impression, has the

honour to request whether

there is any and what

authority or precedent

for the practice and whether

there

there is any objection to
the procedure proposed by
the Dy Governor

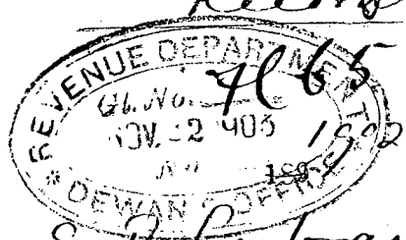
N. O

6/10/02

for Secretary

JKV
4/10/02

Record DEPARTMENT



7657

From S. R. Lubbock Esq B.A. I.C.S
~~THE~~ COMPTROLLER,
MYSORE GOVT.

To H. V. Nanjundayya Esq
~~THE~~ SECY. TO GOVT. OF MYSORE,
General & Rev Depts

Dated 2 o
Despatched 2/c November/02
Received
M No. 273
No.

SUBJECT MATTER.

Forwarding in original no: 56 dated 12/11/02 from the Superintendent of Stamps in Mysore, expressing his opinion that the present practice of dealing with stamps is in accordance with that observed in British Territories and that as such there is no necessity to deviate from it.

24/11
Accts
24/11
Rev
27/11/02

Mysore Stamp Office Correspondence is not connected with miscellaneous Finance Branch but will be continued

Submitted with note. DCS 3/12/02

3/12/02

——————————DEPARTMENT.

OFFICE OF THE

COMPTROLLER, GOVT. OF MYSORE,

BANGALORE, 189

From

E. R. SUBRAYER, ESQ.,

COMPTROLLER, GOVT. OF MYSORE.

To

THE SECRETARY TO THE GOVT. OF MYSORE,

DEPT.

SIR,

Read

Letter no: 713 & 5.4.02

from the Dy Collr, Madura Distt,

bringing to notice that, under

the authority of Article X

of the Rules for the Vend of

Stamps prescribed in the

Chief Collr's notification

no 209 & 23.9.70, licensed

Vendors and Treasury Officers

~~U~~sually endorse a certificate

on the back of every Stamp

paper sold by them ~~se~~-

~~Writing~~ down the name of the

purchaser, date of sale, &c

and ~~questioning~~ enquiring whether

it will not be proper for

the Supdt of Stamps, in Myso

to make a similar en-

dorsement at the foot or

on the back of documents

impressed by him at the

request of parties.

Letter no: 56 of 12.11.02
from the Supdt of Stamps, in
Mysore, received with memo
no: 273 of 20.11.02 from the
Comptroller, Mysore Govt,
Stating that, in addition to
registering in the prescribed
books the names of parties
and the dates of receipt
and issue of documents,
he follows the procedure
for the impressing of stamps as
laid down in Govt Proc.
no: 6577-80 Mis 1459 dated
25.11.98, which is in accor-
dance with the practice
observed in the British Territories,
and that he sees no necessity
for any deviation from
the present practice.

Order thereon.

In the light of the
information furnished

Gw H

Do H 1326-7 of 19.2.03.

19